

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 1415 OF 2022

Nilesh Sadashiv Patil

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. Shekhar Ingawale for the applicant

Mr. N. B. Patil, APP for the respondent-state.

CORAM : NITIN W. SAMBRE, J.

DATED : 30th September, 2022

P.C.:

1. The applicant is seeking regular bail in crime no. 644 of 2021 registered with Karveer police station for the offence punishable under sections 302, 504 of IPC.
2. The case of the prosecution is, the deceased and the applicant were close friends.
3. The deceased, close friend of applicant intervened in an quarrel between the applicant and his mother which was on certain domestic issues. The applicant getting annoyed, kicked the deceased as a consequence he fell on the wall of a narrow lane resulting into head injury which appears to be his cause of death.
4. I have perused the charge-sheet.
5. The deceased admittedly has died of single head injury. There

are two small aberrations suffered by the deceased.

6. Though the statement of the eye witnesses implicates the applicant in the offence in question, however, this Court is required to be sensitive to the motive of the applicant particularly in the backdrop of the admitted fact that the deceased and the applicant were close friends. The applicant was quarrelling with his mother on certain domestic issues at which moment deceased intervened.

7. At the most the offence appears to be triable u/s 304 of IPC.

8. In that view of the matter, a case for grant of bail is made out.

9. The applicant be released on bail in crime no. 644 of 2021 registered with Karveer police station for the offence punishable under sections 302, 504 of IPC upon furnishing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

10. The applicant shall attend the Investigating Officer as and when directed.

11. The applicant shall neither influence the witnesses nor tamper with the evidence in any manner.

12. The applicant shall remain outside the jurisdiction of the concerned Police Station till the charge is framed.

13. The application stands disposed of.